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SUMMARY RECORD OF THE 59th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 14 April 1997, at 10 a.m.

Chairman: Mr. SOMOL (Czech Republic)

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(b) REPORT OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY;

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The meeting was called to order at 10.55 a.m.

STATEMENT BY MR. SARDAR MOHAMMAD ABDUL QAYYUM KAHN, FEDERAL MINISTER OF PAKISTAN

1. Mr. ABDUL QAYYUM KHAN (Pakistan) said that respect for human rights had been universally recognized by all civilized cultures, societies, communities and religions, and was a central plank of Islam. Muslims believed that if politics were divorced from ethics and morality it was reduced to the law of the jungle.

2. Unfortunately, Pakistan's efforts to promote prosperity for its people had been impeded by the endemic confrontation with India over Kashmir. The Commission had direct responsibility in the Kashmir dispute because its root cause was the denial of one of the fundamental principles of human rights, namely, the right to self-determination. In the 1947 partition of India, the State of Jammu and Kashmir, whose population was over 80 per cent Muslim, was expected to accede to Pakistan. It was at that time that the colonial power had given India a land link to Kashmir, and the Maharaja of Kashmir had been forced to declare accession to India rather than to Pakistan. In 1948, when 40,000 indigenous freedom fighters were poised outside Srinagar, Pakistan had been advised to restrain them; meanwhile, Indian troops were occupying Kashmir.

3. The principle of the right of the people of Jammu and Kashmir to self-determination, which was affirmed by the Security Council, had been explicitly endorsed by both India and Pakistan. Unfortunately India had not stood by its pledge to the Kashmiri people. Furthermore, during the previous 50 years, Kashmir, once advertised as Asia's Switzerland, had been economically strangled and culturally emasculated and subjected to a policy of religious discrimination and planned changes in its demographic composition. Since 1947, tens of thousands of people had been killed in Kashmir and hundreds of thousands of others had fled the region or been displaced and were awaiting repatriation in Azad Kashmir and Pakistan.

4. The current crisis had been ignited by the accumulated frustration of the people of Kashmir as a result of prolonged oppression. Following the rigged elections of 1987 and 1989, the population had demonstrated peacefully to demand "Azadi"-freedom. In January 1990, Indian troops stationed in Srinagar had responded by firing indiscriminately on a political rally, killing over 100 peaceful demonstrators. Since then, Kashmir had been raked by violence. India had pursued a complex strategy to defeat the Kashmiri freedom struggle, and human rights violations, committed on the direct orders of the Indian armed forces, had been carried out systematically. Furthermore, such violations had been accompanied by the persecution and elimination of the political leadership in Kashmir, and the elections which had been held in Indian-occupied Kashmir had been marked by extensive electoral fraud. Consequently, the puppet regime installed in Indian-held Kashmir enjoyed neither legitimacy nor the support of the Kashmiris.

5. The people of Azad Kashmir and of Pakistan had so far remained spectators of the tragedy being played out in Kashmir, and even Kashmiris on the Pakistan side of Kashmir were not safe from attacks across the cease-fire

line. Despite such provocations, Pakistan's restraint had been a decisive factor in preventing a war between the two countries. Indeed, Pakistan forces had on several occasions prevented the people of Azad Kashmir from crossing the cease-fire line in order to assist their compatriots in Indian-occupied Jammu and Kashmir. After seven years of bloodshed, it was evident to all that a military solution to the Kashmir dispute was impossible and that, if the confrontation continued, it could threaten international peace and security. Most certainly, it would hold back both countries from realizing their vast economic and social potential.

6. It was in that context that Pakistan's Prime Minister had decided to resume bilateral talks with India on all outstanding issues, including Kashmir. If that dialogue was to be successful, the first order of business should be steps to halt gross violations of human rights in Kashmir. That was an area in which the Commission had a primary interest and legitimate jurisdiction. India should take a number of steps to improve the human rights situation and reduce tension in the region, specifically, by withdrawing 700,000 troops from Jammu and Kashmir; releasing Kashmiri detainees, putting an end to crackdowns, summary executions, custodial killings, and other human rights abuses against the Kashmiri people; ending harassment and attacks against Kashmiri leaders and intellectuals; enabling international media and human rights organizations to visit Kashmir, and allowing the International Committee of the Red Cross (ICRC) free access to detained Kashmiris; removing military installations from Kashmiri towns; repealing the coercive laws under which Kashmiris could be held and detained without any legal rights; and allowing humanitarian help to reach destitute Kashmiri widows and orphans in Indian-held Kashmir.

7. It must be recognized that the Kashmir dispute was not about territory but about the destiny of a people. Regardless of the solution adopted, it had to reflect the aspirations of the people of Jammu and Kashmir on both sides of the cease-fire line. An essential element in arriving at a solution could be agreement on the way in which the Kashmiri people would express their wishes in a free and fair manner. Efforts had been made - so far unsuccessfully - to enable the people of the two parts of Kashmir to get together under the auspices of one of the international organizations. Pakistan hoped that India would contribute to a dialogue of that nature in the near future. Despite the passage of time, the Kashmir dispute was not "petrified". It had, in fact, become a festering wound that could be cured only through collective efforts. The present historic opportunity should be seized in order to embark upon the dialogue and take decisive steps to put an end to human rights violations, since the international order must be based on justice, fair play and respect for agreed norms.

RIGHTS OF THE CHILD, INCLUDING:

(a) STATUS OF THE CONVENTION ON THE RIGHTS OF THE CHILD;

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(agenda item 21) (continued) (E/CN.4/1997/93-95 and Add.1 and 2, 96 and 97; E/CN.4/1997/NGO/11 and 25 and Add.1; A/51/306 and Add.1 and 456)

8. Mr. BALA RAM (Nepal) said that, despite the various guarantees embodied in international instruments on the protection of the rights of the child, estimates presented in UNICEF's 1997 report on the situation of children in the world indicated that one quarter of children between the ages of 5 and 14 in the developing countries were deprived of facilities to which they were normally entitled.

9. For example, it was estimated that 30 per cent of children attending primary schools would be unable to complete their primary education and even less embark upon their secondary education. Furthermore, as a result of burgeoning unemployment and increasing poverty, unscrupulous parents were pushing their children into the sex industry, and trafficking in girls was becoming a major problem in South Asia. According to figures collected by certain non-governmental organizations (NGOs), sex tourism involving children attracted over 40,000 tourists to certain countries of that region; 12 to 20 per cent of child prostitutes were HIV-positive.

10. Most of the children were forced to work regardless whether they wanted to or not. Poverty, the illiteracy of their parents, the fact that it was impossible for them to acquire an education, the exodus from rural areas and broken homes could be regarded as causes of the exploitation of children.

11. His delegation took the view that it was not enough to adopt legislation to curb that scourge; children should be freed from servitude for debt and prostitution and rehabilitated by providing them with appropriate services and particularly education. Nepal had adopted various legislative and administrative measures in that connection. The 1990 Constitution guaranteed that the interests of the child would be protected by having the State assume certain obligations; article 20 prohibited trafficking in persons, slavery and forced labour and regarded such acts as offences punishable under the law. Moreover, the law on trafficking in women had been amended and violators could be sentenced to life imprisonment. Nepal had established a Council on the Status of Women and Children as well as a Central Committee for the Protection of Children; regional committees had also been set up. Furthermore, it had ratified ILO Convention No. 138 on the minimum age in 1996 and, since 1995, ILO had been implementing a programme throughout the country to put an end to the exploitation of children.

12. Whereas the Convention on the Rights of the Child was the international instrument which had been ratified by the largest number of countries, it appeared that the exploitation of innocent children was continuing. Such exploitation had become a transboundary crime and national law enforcement agencies were often powerless to curb it. For that reason, the suggestions of the Special Rapporteur on the sale of children, child prostitution and child

pornography (E/CN.4/1997/95 and Add.1 and 2) concerning the extradition of offenders, judicial cooperation between the countries concerned and international cooperation should be carefully examined.

13. Mr. CHA (Republic of Korea) said that, although the Convention on the Rights of the Child had been ratified by an unprecedented number of States, millions of children around the world were still dying needlessly. The age-old scourges of hunger and disease were at present being compounded by sexual violence and armed conflicts. Unfortunately, the steps taken so far by the international community were inadequate and had had only a limited impact. For that reason it must ask what the tangible results of the World Summit for Children and its follow-up conferences had been; how were the declarations and programmes of action that had been adopted, including those of the Stockholm World Congress, being implemented; and did the international community's commitment to action on such issues match its rhetoric.

14. In times of war, children, more than any other group, were exposed to mental and physical traumatism, sexual exploitation and violence. As stated by Ms. Graça Machel, the independent expert appointed by the Secretary-General, in her study on the impact of armed conflict on children (A/51/306), children should be considered as constituting "zones of peace". She had rightly pointed out that "childhood is inviolate ... peace is every child's right". That most pressing of problems called for concerted and pragmatic action at both the national and international levels. The optional protocol to the Convention on the Rights of the Child concerning the involvement of children in armed conflicts should be adopted without delay. His delegation shared Ms. Machel's view that the protocol should also address the situation of children in non-governmental armed groups, since the number of casualties in internal conflicts had increased drastically over the previous few years.

15. Another area in which actions spoke louder than words was that of sexual violence and exploitation. His Government paid tribute to the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/1997/95), as well as to the working group responsible for preparing an optional protocol on the matter. What was most important was that the protocol, once adopted, must be respected and implemented fully by all States parties. The Commission on the Status of Women, at its forty-first session held at New York the previous month, had paid particular attention to the question of the sexual exploitation of children and had adopted a resolution on traffic in women and girls which had done much to make the public and Governments more aware of the question.

16. The rights of the child could be protected and promoted only when the action taken by Governments were mirrored by civil society and reinforced through international cooperation. Children were humanity's future and radical solutions had to be found to protect them in diverse circumstances.

17. His Government had been heartened to note that an increasing number of services were being provided by voluntary organizations to care for children and that certain agencies had proved that, with dedication and a creative use of resources, it was possible to improve the lives of children. Such efforts should be made on a global basis.

18. Mr. BAUM (Germany) said that special efforts were required to safeguard children's rights in view of their particular vulnerability and need for protection. His Government therefore hoped that the negotiations on the draft optional protocols concerning children in armed conflict and the sale of children, child prostitution and child pornography would soon be concluded successfully. Since it was Germany's firm opinion that any participation by children in armed conflict could not be reconciled with the best interests of the child, it was seeking to have the minimum age for their direct and indirect participation raised to 18 years.

19. With a view to combating the sexual exploitation of children, his Government was developing a national strategy to follow up the recommendations of the Stockholm World Congress. That strategy attached high priority to legislative reforms. Since 1993, the possession of child pornography and any sexual abuse of children abroad had been criminal offences. Moreover, penalties for the sexual abuse of children in general were to be increased.

20. The Agenda for Action adopted at Stockholm emphasized that punitive action was not sufficient to eradicate individual pathological behaviour. For that reason, the ongoing reforms also aimed at improving the system of socio-medical and psychological treatment. Post-incarceration treatment programmes for child abusers would become compulsory. Another issue of the utmost importance was better protection for child victims. Draft legislation under discussion was designed to amend procedural rules in order to protect victims when testifying in criminal proceedings.

21. One of the most difficult areas was computer-based traffic in pornography. Since it was of a transboundary nature, his Government called upon all States to combine efforts with a view to finding solutions.

22. Legislation alone would not change society and dry up the demand that resulted in the sexual exploitation of children; public awareness was the best guardian of children's rights. For that reason, the German Minister of Foreign Affairs himself was heading a broad-based information and mobilization campaign. Training programmes for teachers and other persons legally responsible for children would continue under the Federal Ministry for Children's Affairs.

23. Since it was aware that precise information on children vulnerable to sexual exploitation and on their exploiters was lacking, his Government was supporting research activities in that area. In 1993 a national documentation centre had been inaugurated in Münster.

24. Given the complex nature of the problem, national strategies to combat the sexual exploitation of children had to bring together all segments of society and bear in mind that a solution was possible only through international cooperation. Immediately after the Stockholm Conference, the German Government had taken steps to improve cooperation between federal and State authorities and representatives of NGOs. It earnestly hoped that, as a follow-up to that Congress, the exchange of views on the measures initiated at the national level would also take place at the regional level, if possible as early as 1998.

25. As one of the main sponsors of the ILO programme aimed at curbing child labour, his Government welcomed the decision of 12 other countries to make considerable financial contributions to it.

26. Mrs. PEREZ (Brazil) said that, in order to guarantee the rights of the child in the developing countries, the necessary conditions should be created to enable families to provide for the basic needs of their children. She informed the Commission that, according to a survey conducted in 1996 by the Ministry of Health, the Brazilian Institute for Geography and Statistics and an NGO, with the support of UNICEF, UNDP and the United Nations Population Fund, Brazil had already attained most of the goals set by the 1990 World Summit for Children in respect of health, reduction of malnutrition, sanitation and primary education. It had been able to do so because of the stabilization of Brazil's economy. In the six main urban centres, the number of poor in the total population had declined from 33.4 per cent to 25.1 per cent in only two years. As a result, the level of food consumption had increased.

27. Education and health programmes were being decentralized in order to enable local communities to control the administration of public funds and to participate in decisions on their use. The President of the Republic had recently announced new measures to increase the autonomy of local communities in public health matters. The number of health community agents, whose effectiveness had been praised by UNICEF, would be increased from 44,000 to 100,000 by 1998. A community solidarity programme had been initiated to help the more needy municipal administrations to develop their own basic health, education and sanitation programmes. Its purpose was to coordinate available human and material resources and channel them into programmes that had a direct impact on child mortality, malnutrition and the improvement of the condition of children in especially difficult circumstances.

28. Brazil had supported the establishment of the working group on the elaboration of a draft optional protocol on the sale of children, child prostitution and child pornography, since it would give more detailed and precise content to articles 34 and 35 of the Convention on the Rights of the Child. The working group should be allowed to meet for a period of two weeks prior to the Commission's next session.

29. The future optional protocol should set guidelines for domestic legislation against the sexual exploitation of children and establish minimum standards for the treatment of child victims by law-enforcement agents and the judiciary and also envisage international cooperation at the judicial and administrative levels in order to ensure that perpetrators of sexual exploitation and the abuse of children would be punished regardless of limitations of territorial competence (art. 5 of the Convention against Torture should be used as an example), raising awareness and disseminating information about the dangers of child sexual exploitation and abuse, and the rehabilitation of child victims and eradication of the root causes of sexual exploitation, which were mainly poverty and ignorance.

30. The optional protocol should focus on the question of sexual exploitation, namely, child prostitution, child pornography, the sale of children for sexual purposes and sex tourism. The issue of illegal adoptions

was of a different nature, although it might in some cases be related to sexual exploitation, and should be dealt with in the framework of more appropriate legal instruments.

31. Although the question of trafficking in children was under consideration by the Commission on Crime Prevention and Criminal Justice, duplication should be avoided. In that connection she drew attention to the existence of regional instruments dealing with the subject, namely, the Inter-American Convention on the Illicit Trafficking of Children, to which Brazil was a party.

32. Although Brazil regretted that the scope and the conclusions of the World Congress against Commercial Sexual Exploitation of Children had been narrowed by the virtual exclusion of consideration of the key elements of the problem, namely, poverty, underdevelopment, social exclusion and unemployment, it considered that the Stockholm Declaration and Plan of Action constituted a positive contribution in efforts to curb child sexual exploitation and abuse. At Stockholm, the Brazilian delegation had submitted a document on measures taken at the domestic level to curb child prostitution. A national network to combat the sexual exploitation and abuse of children had been created in 1996 by Brazilian NGOs with the help of the Federal Government and UNICEF. Some of Brazil's State and municipal governments had developed plans of action to combat the sexual exploitation of children. In January 1997, President Cardoso had launched a national campaign, in which various public and private tourism bodies had participated, against the exploitation of child sex tourism. A toll-free hotline had been provided for public denunciation of child sexual exploitation.

33. The question of child labour was another source of concern since, in the developing countries, child labour was a matter of survival for many families. Consequently, it was not enough to prohibit that practice and realistic solutions had to be found to its underlying causes. For that reason, the Brazilian authorities were endeavouring to strengthen fiscalization in cooperation with workers' unions and providing a monthly allowance to families which agreed to send their children to school.

34. Mr. CHOWDHURY (Bangladesh) said that his country had been one of the first to ratify the Convention on the Rights of the Child. In 1994 it had adopted a national policy to coordinate and strengthen child development activities in accordance with the provisions of the Convention. Subsequently, in 1995, a Council had been established to promote children's welfare and had set in motion a plan of action with goals to be attained by the year 2000.

35. In the non-government sector, a body grouping 70 NGOs called the Bangladesh Child Rights Forum had been established in 1990. Its function was to build up awareness of children's rights, undertake research into key issues, and advocate the cause of children by focusing particularly on those who were disadvantaged and exploited. The authorities were cooperating closely with NGOs in areas such as education, health and nutrition. Many NGOs had thus become closely associated with EPI and other programmes.

36. During the previous decade, considerable attention had been paid to the survival and development of children and the well-being of mothers, and an

increasing proportion of resources had been diverted to the development of a primary health care network that included the provision of a safe water supply and sanitation. Sectoral efforts had been supplemented by strong social mobilization and public information, and a promotional character, Meena, had been created for use in videos and comic books to promote child health and education, especially for girls. Since the adoption of the World Declaration of Education for All, the Government had redoubled its efforts to provide basic education for all children and had declared its intention to eradicate illiteracy within 10 years. For that purpose, it was promoting primary education and non-formal education for unschooled children above primary school age. Since 1990, primary education had been compulsory and free up to grade V for all children and up to grade VI for girls, in order to encourage them to remain at school. As a result, the school enrolment rate had risen from 76 per cent in 1991 to 92 per cent in 1995, and gender disparities in primary school enrolment had virtually disappeared.

37. The protection of children against abandonment, neglect, economic exploitation, violence and other forms of abuse and the rehabilitation of those affected was receiving increased attention.

38. The private sector and specifically the Bangladesh Garment Manufacturers and Exporters Association were contributing actively to efforts to combat child labour. Since the signature of a memorandum of understanding between UNICEF, ILO and that association, over 9,000 children working in the textile industry had been placed in non-formal institutions set up by the NGOs and received scholarships to offset their loss of earnings.

39. Bangladesh noted with satisfaction that, in the context of the draft optional protocol on involvement of children in armed conflict, there was general agreement on the need to raise the age at which children could participate in hostilities to 18. Moreover, the age for voluntary recruitment should be fixed in such as way as to enable new recruits to have proper training before being sent to the front. Furthermore, it had been found in recent years that the problem of child involvement in armed conflict was most acute in the context of internal conflicts. For that reason, the enrolment of children in irregular formations should also be taken into consideration in the draft protocol.

40. As for the draft optional protocol on the sale of children, child prostitution and child pornography, Bangladesh considered that the same importance should be attached to each of those three aspect of the problem, which should be tackled from both the supply side as well as the demand side, and that the future regime should be based on the principle of the non-criminalization of children.

41. Mr. GOONETILLEKE (Sri Lanka) said he was pleased to note that near universality had been achieved in accessions to the Convention on the Right of the Child, the provisions of which had been incorporated in a National Charter and a Committee for monitoring the rights of children in his country. In August 1996, the Government had reviewed the measures adopted in the framework of the action programme launched in 1991 for the welfare of children; that review had drawn attention to the progress made in several areas and identified certain shortcomings due to the shortage of resources, the armed

conflict in the north and east of the country and terrorist attacks. The priority traditionally accorded to the well-being of children had resulted in Sri Lanka's having one of the lowest infant, child and maternal mortality rates among the developing countries and school enrolment of about 90 per cent. Nevertheless, the Government needed the support and cooperation of the international community in the field of child care.

42. His delegation supported the recommendations made by the Special Rapporteur on the sale of children, child prostitution and child pornography and hoped that her mandate would be extended so that she would be able to pay attention to other parts of the world where child prostitution and child pornography had raised their ugly heads. It was disturbing to note that those practices, as well as the sexual abuse of children, were increasing in Sri Lanka and called for urgent and concerted corrective action. The authorities had therefore recently enacted legislation to tighten existing laws against offenders and the President had appointed a Committee that had made a number of recommendations, under which a child protection authority was to be set up to take action in areas of law enforcement therapy, counselling and rehabilitation, and also to conduct public awareness programmes.

43. However, a durable solution to those problems could be found only by raising the levels of living of disadvantaged groups of the population. The extraterritorial dimension of the problem, namely, sex tourism originating in the rich countries, must also be taken into account. The Sri Lankan authorities had taken action to prosecute offenders and were cooperating fully with the countries concerned. International cooperation and understanding was essential to curtail both supply and demand, and in that connection his delegation was pleased to note that many developed countries were taking action to address the problem.

44. His delegation also welcomed the study prepared by the expert appointed by the Secretary-General on the impact of armed conflict on children, as well as the report of the open-ended intersessional working group to elaborate an optional protocol on the involvement of children in armed conflict, particularly as Sri Lanka itself was experiencing terrorism and an insurgency. Not content with bringing death and injury to countless women and children, LTTE did not scruple to abduct boys and girls from the age of 10 upward and train them in the use of weapons. His delegation called upon the international community to condemn that abominable practice unequivocally.

45. Mr. ZAHRAN (Egypt) drew attention to the unprecedented consensus reflected by the Convention on the Rights of the Child. Egypt, for its part, had embarked upon the task of protecting children well before the World Summit for Children, and a large number of its NGOs were caring for orphans and handicapped children. The Government had adopted legislation that, for example, prohibited the employment of children on dangerous work and fixed the minimum age at which a child could begin to work. It was elaborating plans and economic strategies to raise the level of living of families, since it was aware that many aspects of the problem of child labour were connected with poverty and the right to development. In that respect Egypt considered that the trade sanctions advocated by certain countries offered a superficial and dangerous solution, since the problem should be tackled gradually, by

combating poverty and at the same time promoting the schooling of children. His delegation congratulated ILO and UNESCO on the work they had done in collaboration with the developing countries.

46. Yet children were beset by many other dangers. Referring to the progress made by the working group to prepare a draft optional protocol on the sale of children, child prostitution and child pornography, he emphasized that the offences in question must be defined carefully so that any provisions adopted could be reflected in national criminal laws and eliminated any loopholes. As for the draft optional protocol on the involvement of children in armed conflicts, his delegation agreed with others that a minimum age should be fixed for recruitment, since that would render a service to future generations. The protocol should be as clear and concise as possible in order to avoid any differences of interpretation.

47. Lastly, recalling that, under the Convention, the best interests of the child were a primary consideration, he warned against the dangerous repercussions that the sanctions imposed on certain countries under Chapter 7 of the Charter of the United Nations could have for the disadvantaged segments of the population, and particularly for children. The Security Council should take the necessary steps to ensure that children were not the first victims of such sanctions.

48. Mr. ALEMU GETAHUN (Ethiopia) said that, in a country in which young people accounted for more than 50 per cent of the population, it was natural to give priority to the protection and promotion of the rights of children. Ethiopia therefore attached particular importance to the scrupulous respect of the Convention by all and would spare no effort in carrying out the suggestions and recommendations made by the Committee on the Rights of the Child.

49. For the purpose of monitoring the implementation of the Convention, committees on the rights of the child had been established at the national, regional and district levels, and a high-level ministerial committee under the Minister of Economic Development and Cooperation had been established. Moreover, various sectoral policies formulated by the Government played a pivotal role in its application. For example, under the 1993 health policy, special attention was paid to the health needs of women and children and, following the adoption of a national population policy, an Office of Population had been set up within the Office of the Prime Minister. The new education policy provided for free primary education and its goal was to raise the present enrolment rate of 23 per cent to 50 per cent by the year 2000. School curricula had been revised in order to take account of article 29 of the Convention, and primary education was already being provided in five of the country's languages in accordance with article 30. The Convention had been translated into eight nationality languages and copies had been distributed to the regions and all organizations and individuals concerned.

50. With a view to facilitating the effective implementation of the Convention, the Ethiopian Government, with the cooperation of international organizations and local and international NGOs, had organized various workshops, conferences and campaigns on street children and child prostitution, efforts to curb AIDS, traditional practices affecting the health

of women and children, with special emphasis on female genital mutilation, child abuse and neglect and the treatment of young delinquents.

51. Having experienced 30 years of civil war, Ethiopia wished to add its voice to the many nations calling for urgent action to assist the world's children affected by armed conflict, particularly in Africa where the humanitarian and political situation was steadily deteriorating. It therefore appreciated the progress made in drafting an optional protocol to strengthen the protection of children's rights in situations of armed conflict, and supported the proposal to raise the minimum age for recruitment into armed forces and participation in hostilities to 18.

52. Mrs. BU FIGUEROA (Observer for Honduras) emphasized that the promotion of children's rights could not be dissociated from efforts to curb the poverty that affected the development of the child in many ways, compromising his food security, proper education and moral integrity, as well as his possibility of participating in society. As a developing country which every day encountered difficulties of a social and economic nature, Honduras was committed under its Constitution to protect the rights of the family and the child. The National Congress had adopted a Code on Children and Adolescents, that was in conformity with the Convention on the Rights of the Child, under which the State and society assumed the obligation to create conditions likely to ensure recognition of the "inherent dignity ... of all members of the human family". The child was obviously part of the family and the family itself part of society.

53. Her Government had taken a number of measures to ensure respect for the rights of the child without distinction as to sex. International cooperation had made it possible to rehabilitate and equip centres providing care for children at risk and to delinquent women, and to draw up appropriate prevention programmes. Even since the adoption of the Code on Children, the problems of children in difficulty and those of young delinquents were dealt with separately. A programme of action and social protection had been developed in order to find alternatives - such as family allowances, scholarships and grants - to the placement of young persons in difficulty in institutions. The programmes for the protection of children's rights being implemented by the authorities were designed to preserve children's right to an identity and the family environment, provide a better understanding of the rights of the child among the various groups comprising society, to promote the evolution of mentalities at the level of the State, society and family, and ensure that those responsible for taking decisions and implementing social policies gave priority to measures that were in the interest of children.

54. Institutional reforms were also continuing in the framework of a comprehensive protection programme, introduced pursuant to an agreement concluded with UNICEF. That programme was focused on the following three areas: the creation of community centres for children and the family, substitute penalties for young delinquents, and the strengthening of institutions and the administration. Her Government was achieving tangible results owing to its determination and the support of national and international organizations - which indicated that the State, society and the family should combine their efforts in order to improve the situation of

children. Poverty and social violence could be curbed only if the physical, psychological and emotional development of the future generation was assured.

55. Ms. AHLUWALIA (International Federation of Red Cross and Red Crescent Societies) said that armed conflicts claimed many victims - particularly women and children - among the civilian population and caused large-scale population displacements. Children in refugee camps ran the risk of being separated from their families and were exposed to exploitation, including child prostitution. Children involved in armed conflict were often subjected to and forced to participate in beatings, rape, murder and sexual abuse, and ended up being killers themselves. The dehumanization process of children had to be reversed.

56. In the circumstances, the International Federation opposed the participation of children under the age of 18 in armed conflict and, through its 170 national societies and in close cooperation with ICRC, was militating in favour of the adoption of the draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflict.

57. The International Movement of Red Cross and Red Crescent, which comprised ICRC, the Red Cross and Red Crescent societies and their Federation had, in 1995, adopted a plan of action for the education and social rehabilitation of children affected by armed conflict. The national societies were undertaking structured alternative activities for children and youth, both of a remedial character and as alternatives to involvement in conflict. One example was the function of the Lebanese Red Cross First Aiders as a channel for the best use of youthful energies and capacities.

58. The International Federation was also taking steps to assist street children, abandoned children and unaccompanied and separated children by providing appropriate health care and social support. To that end, it would increase its cooperation with Governments, international organizations and NGOs.

59. In conclusion, she said that the international community should take urgent steps to ensure that the millions of children who were the innocent victims of armed conflict were able to enjoy all basic human rights.

60. Mrs. TINCOPA (Observer for Peru) said that her country, which had ratified the Convention on the Rights of the Child in 1990, had in 1995 adopted a Code on Children and Adolescents and embarked upon a national plan of action for children covering the period 1996-2000 which was designed to improve the situation of children, particularly in respect of health, education, nutrition and protection of their rights.

61. The Government had also drawn up, with UNICEF assistance, a national plan for the period 1996-2000 aimed at putting an end to child labour and protecting working adolescents. Since July 1996 Peru had been participating in the international programme for the abolition of child labour, drawn up by ILO.

62. Despite the difficulties it was encountering, the improvement of the situation of children and adolescents - a long-term task - was accorded pride of place in the Government's policy.

63. As for the involvement of children in armed conflict, the expert appointed by the Secretary-General to study the impact of armed conflict on children rightly emphasized in her report (A/51/306) that those mainly responsible for that practice were non-government armed groups. The draft optional protocol being prepared on the subject should take due account of that aspect.

64. The draft optional protocol concerning the sale of children, child prostitution and child pornography should cover all cases of the sale of children, regardless of their purpose, including adoption. The developed countries in which enterprises sold pornographic material involving children and organized sex tourism bore a heavy responsibility in that regard.

65. Lastly, referring to the draft resolution on the rights of the child (E/CN.4/1997/L.102), of which Peru was one of the sponsors, she said that her delegation was gratified by the way in which it tackled the problem of displaced children. Much remained to be done in that respect since the tragic fate of children displaced as a result of terrorist violence had not yet been dealt with appropriately.

66. Mr. BARTOLO (Observer for Malta) said that Ms. Machel, in her report on the impact of armed conflict on children (A/51/306), rightly emphasized that, in the interest of children, the international community should cease to impose economic sanctions without obligatory and humanitarian exceptions and agreed mechanisms for monitoring the impact of sanctions on children and other vulnerable groups. Such sanctions obviously caused resource shortages, disrupted the distribution of food, pharmaceuticals and sanitation supplies, and reduced the capacity of the public health system to maintain the quality of food, water, air and medicine. The Special Rapporteur added that the effects on children were much more harsh because they had much less resistance and were less likely to survive persistent shortages than those with power and influence who usually had ways of acquiring what they needed.

67. For that reason his delegation supported the recommendations of the Special Rapporteur that one of the primary considerations in preparing a programme of targeted sanctions should be to minimize its impact on vulnerable groups and particularly children, and that the Sanctions Committee of the Security Council should closely monitor the humanitarian impact of sanctions and amend them immediately if they were shown to cause undue suffering to children.

68. While adhering to the letter and spirit of sanctions imposed by the Security Council, his Government was of the view that the General Assembly should continue to discuss the whole question of sanctions under Chapter VII of the Charter in order to reach agreement on the following matters: what type of sanctions were the most effective, at what level should decisions to impose sanctions be taken, who was responsible for the renewal of sanctions, how long should they remain in force, and who would decide whether they were effective. In any event, his Government could not tolerate measures that

inflicted suffering on people, including women and children, while leaving the party against which they were primarily intended to continue with its policies.

69. Mr. LANGMAN (Observer for Australia), after urging the very few States which had not ratified the Convention on the Rights of the Child to do so, referred to the question of the sexual exploitation of children, particularly by organized criminal networks which engaged in cross-border trafficking in children. In Australia's opinion, the draft optional protocol concerning the sale of children, child prostitution and child pornography should focus on the need for appropriate criminal legislation so as to provide an effective solution to the problem of the sale of children for purposes of sexual exploitation. In that connection it welcomed the Declaration and Agenda for Action adopted by the Stockholm Congress against Commercial Sexual Exploitation of Children, whose implementation at the national and local level would be coordinated by the Commonwealth Department of Health and Family Services.

70. Referring to the question of child labour, he expressed the hope that ILO would, in 1999, adopt a new convention dealing with exploitative forms of child labour which, together with codes of conduct involving industry, international agencies and local communities, would help to eliminate the worst forms of child labour in the near term. In UNICEF's 1997 report on the state of the world's children it was emphasized that practical action must be taken immediately to curb such practices, which were completely unjustified. In that area, Governments had a key role to play at the national level in order to fully discharge the obligations they had assumed under the Convention on the Rights of the Child.

71. Australia was disappointed by the lack of progress made at the second session of the working group to prepare a draft optional protocol on the involvement of children in armed conflict. There was a pressing need to address the question of age limits for recruitment. His delegation therefore urged members of the Working Group to reach early agreement on a text that would ensure that appropriate legal protection was extended to the increasing number of children affected by such conflicts.

72. Mr. JAWAD (Observer for Iraq) said that only true international cooperation could save children from the scourge of war, poverty, illness, hunger and illiteracy. It was in that spirit that the Convention on the Rights of the Child had been adopted. Iraq had been a forerunner in providing care for children through the enactment of national legislation, the establishment of plans and programmes and the necessary steps to improve the lot of children.

73. Yet the situation of children had deteriorated dramatically owing to the unjust embargo imposed on Iraq whose disastrous effects on children had been condemned by the Executive Director of UNICEF, the Under-Secretary-General for Humanitarian Affairs and the Director of World Food Programme. The expert appointed by the Secretary-General to study the impact of armed conflict on children had emphasized in her report (A/51/306) that the international community should cease to impose comprehensive economic sanctions without obligatory and humanitarian exceptions and agreed mechanisms for monitoring

the impact of sanctions on children and other vulnerable groups. She had added that sanctions should be judged against the standards of universal human rights and particularly the rights of the child, and that the primary consideration must always be the potential human impact.

74. Furthermore, in its decision 1996/107, the Sub-Commission on Prevention of Discrimination and Protection of Minorities had expressed concern regarding documented information that children would still die, even after the agreement between Iraq and the United Nations on the implementation of Security Council resolution 1986 (1995), because the agreement did not meet the minimum needs of civilians, particularly in respect of food and medicine. It was worth mentioning in that connection that, between 1989 and 1997, infant mortality due to malnutrition had increased by 2,054 per cent.

75. Such sanctions should be regarded as a weapon of mass destruction and prohibited. His delegation hoped that the Commission would shoulder its responsibility by studying the impact of international sanctions on children and vulnerable groups.

ORGANIZATION OF THE WORK OF THE SESSION (agenda item 3) (continued)

76. Mr. GOONETILLEKE (Sri Lanka) recalled that, on 3 April, the Reverend S.J. Emmanuel, Vicar General of Jaffna, had taken the floor on behalf of the International Peace Bureau whereas he was accredited not as a member of that organization but of Pax Christi International. In a letter dated 9 April, addressed to the Commission's Bureau, the International Peace Bureau had explained that, since Pax Christi International was a member organization, it had not been felt necessary to accredit the Reverend Emmanuel under the International Peace Bureau.

77. His delegation was unable to accept that argument since those two NGOs were listed separately among NGOs with consultative status. It therefore hoped that the Commission's Bureau would, in the light of its rules of procedure, determine whether an NGO had the right to authorize a person without proper accreditation to speak in its name before the Commission.

78. The CHAIRMAN said that the matter would be examined by the Bureau.

The meeting rose at 1.10 p.m.